

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DAVID KRAMER, et al.,

Plaintiff,

v.

**SHERIFF'S DEPUTY STEVEN STELTER,
et al.,**

Defendants.

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No. 08 C 2530

Judge Ruben Castillo

DEFENDANT CREEDON'S MOTION TO DISMISS

Defendant JOHN P. CREEDON, by and through his attorney, LISA MADIGAN, Illinois Attorney General, respectfully requests this Honorable Court dismiss the Plaintiff's Amended Complaint under Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief may be granted. In support thereof, Defendant Creedon states as follows:

1. Plaintiff's claims against Defendant Creedon are barred by *res judicata*.
2. Plaintiff has failed to state a claim upon which relief may be granted against Defendant Creedon.
3. Defendant Creedon submits herewith a supporting memorandum of law providing in greater detail why the Amended Complaint should be dismissed.

CONCLUSION

For the foregoing reasons, Defendant Creedon respectfully requests that this Honorable Court dismiss Plaintiff's claims against him in their entirety with prejudice.

Respectfully submitted,

LISA MADIGAN
Illinois Attorney General

/s/ Alice E. Keane
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